



DEPARTMENT OF PLANNING
STAFF REPORT

PLANNING COMMISSION PUBLIC HEARING

DATE OF HEARING: July 17, 2008
ZMAP 2008-0002 – Beaumeade Merritt Tract
DECISION DEADLINE: March 7, 2009

ELECTION DISTRICT: Dulles

PROJECT PLANNER: Stephen Gardner

EXECUTIVE SUMMARY

Merritt Properties, LLC of Ashburn, VA has submitted an application to rezone approximately 45.74 acres from the PD-IP (Planned Development – Industrial Park) zoning district under the 1993 Zoning Ordinance to the PD-IP (Planned Development – Industrial Park) zoning district under the Revised 1993 Zoning Ordinance in order to permit the development of all principal and accessory uses permitted in the PD-IP zoning district under the Revised 1993 Zoning Ordinance at a floor area ratio (FAR) not to exceed 0.4. The property is located within the Route 28 Taxing District. The property is also located within the AI (Airport Impact) Overlay District, between the Ldn 60-65 aircraft noise contours. A small portion of the property is also located within the FOD (Floodplain Overlay District). The property is located in the Beaumeade Corporate Park, at the northern terminus of Guilford Drive, and on the south side of the W&OD Trail and Smith Switch Road (Route 607), at 44590 through 44621 Guilford Drive, Ashburn, Virginia in the Dulles Election District. The property is more particularly described as Tax Map /80///7/////B/ (PIN # 060-38-6623). The area is governed by the policies of the Revised General Plan (Suburban Policy Area), the Dulles North Area Management Plan, and the Revised Countywide Transportation Plan which designate this area for Business uses and which recommend an FAR of up to 0.4.

RECOMMENDATION

Staff recommends approval of this application, subject to the draft proffers and with the associated findings located in the Staff Report.

SUGGESTED MOTIONS

1. I move that the Planning Commission forward ZMAP 2008-0002, Beaumeade Merritt Tract, to the Board of Supervisors with a recommendation of approval, subject to the Proffer Statement dated June 23, 2008 and with the Findings for approval contained in the July 17, 2008 Staff Report.

OR,

2. I move an alternate motion.

VICINITY MAP



Directions:

From Leesburg, take Route 7 east to Loudoun County Parkway. Follow Loudoun County Parkway south to Beaumeade Circle. Turn right onto Beaumeade Circle. Follow Beaumeade Circle to Guilford Drive. Turn right onto Guilford Drive. The subject property is located at the terminus of Guilford Drive.

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I. APPLICATION INFORMATION

APPLICANT Merritt Properties, LLC
Attn: Scott E. Dorsey, President
20098 Ashbrook Place, Suite 160
Ashburn, VA 20147
703-858-2725

REPRESENTATIVE Christopher Consultants, Ltd.
Attn: Louis Canonico
20110 Ashbrook Place, Suite 160
Ashburn, VA 20147
571-209-5950

APPLICANT'S REQUEST A Zoning Map Amendment to convert 45.74 acres from the PD-IP zoning district under the 1993 Zoning Ordinance to the PD-IP zoning district under the Revised 1993 Zoning Ordinance.

LOCATION 44590 through 44621 Guilford Drive, Ashburn, Virginia

TAX MAP/PARCEL #s Tax Map /80///7////B/ MCPI 060-38-6623-000

ZONING PD-IP

ACREAGE OF SITE 45.74 acres

SURROUNDING ZONING / LAND USES

North	PD-H3/R-1/PD-IP	Vacant
South	PD-IP	Flex/Industrial
East	PD-IP	Flex/Industrial
West	PD-H3/PD-IP	Flex/Industrial

II. SUMMARY OF DISCUSSION

Topic	Issues Reviewed and Status
Comprehensive Plan	<ul style="list-style-type: none"> Conformance with <u>Revised General Plan</u>. No issues noted. Status: Recommendation of approval.
Zoning	<ul style="list-style-type: none"> Identification of any steep slopes on the property. Status: Resolved. Delineation of the building setback line and the parking setback line on the Concept Development Plan. Status: Resolved. Delineation of the twenty-five foot (25') setback line along the W&OD Trail. Status: Resolved. Minor administrative revisions to the Concept Development Plan and the Proffer Statement. Status: Resolved.
Transportation (OTS)	<ul style="list-style-type: none"> The Loudoun County Parkway / Beaumeade Circle South intersection, currently not signalized, operates at an unacceptable Level of Service (LOS). The additional permitted uses allowed by a conversion to the <u>Revised 1993 Zoning Ordinance</u> will result in a corresponding increase in the weekday vehicle trips. Such an increase may result in further deterioration of LOS. Staff notes, however, that signalization of the intersection would result in a LOS of C. Status: Not an issue; the Board's Transportation and Land Use Committee has directed staff that zoning conversions shall not be subject to a regional roadway contribution.
County Attorney	<ul style="list-style-type: none"> Proffer review in progress. Status: Pending.

III. FINDINGS

- The proposal conforms to the policy guidance of the Revised General Plan.
- Conversion of the property from the 1993 Zoning Ordinance to the Revised 1993 Zoning Ordinance will not reduce the development potential of commercial growth within the Route 28 Tax District, nor will it result in a reduction of land area available for employment-related opportunities.
- The application complies with the requirements of the Revised 1993 Zoning Ordinance.

IV. PROJECT REVIEW

A. CONTEXT

Merritt Properties, LLC, authorized applicant, has submitted a request for Zoning Map Amendment (ZMAP) to rezone approximately 45.74 acres from PD-IP (Planned Development – Industrial Park) under the 1993 Zoning Ordinance to PD-IP (Planned Development – Industrial Park) under the Revised 1993 Zoning Ordinance. The parcel is located in the northwest quadrant of the Beaumeade Corporate Park at the northern

terminus of Guilford Drive, immediately adjacent to and south of the W&OD Trail and Smith Switch Road (Route 607).

The site has been approved to include a total of seven industrial/warehouse buildings, totaling approximately 539,000 square feet. Four of the seven buildings have been constructed; a fifth building is currently under construction. A request for Special Exception (SPEX 2008-0019; Beaumeade Merritt Tract – Beaumeade Gun Club Training Facility) was recently considered by the Planning Commission and approved by the Board of Supervisors on July 1, 2008 to permit a “firearm range, archery range, indoor” use in Building #7.



Industrial / warehouse buildings
located on the subject site.

The Beaumeade Corporate Park was originally envisioned as a unified industrial park but, over time, has become more office and retail oriented. Much of the park has developed by-right, and various applications for special exception have been approved allowing expanded office uses as well as civic uses that include schools and churches.

B. SUMMARY OF OUTSTANDING ISSUES

There are no outstanding land use issues with this application. The proffers are currently under review for legal form by the County Attorney's office.

C. OVERALL ANALYSIS

COMPREHENSIVE PLAN

The site is governed under the policies of the Revised General Plan (Plan) and is located in the Ashburn Community of the Suburban Policy Area. The Planned Land Use Map (Revised General Plan, p. 7-23) designates the area as suitable for Business uses.

The proposal is in conformance with the Revised General Plan. The Plan encourages property owners located within the Route 28 Tax District that own property governed under the 1993 Zoning Ordinance to opt into the Revised 1993 Zoning Ordinance. Furthermore, conversion of the property to the Revised 1993 Zoning Ordinance will not diminish the development potential of commercial growth within the tax district, adversely impacting its long-term viability, nor will it result in a net reduction of employment-related land uses. To the contrary, the Revised 1993 Zoning Ordinance offers an expanded list of permitted uses, including office, providing greater flexibility, consistent with a Business community designation.

ZONING

The property under consideration is a 45.74 acre tract, identified as Parcel B of Loudoun County Tax Map 80((7)). Currently zoned PD-IP (Planned Development – Industrial Park) under the 1993 Zoning Ordinance, the application proposes to rezone the property to PD-IP (Planned Development – Industrial Park) under the Revised 1993 Zoning Ordinance.

Zoning comments are provided as Attachment 1b, Pages A-4 and A-5. Comments were limited to minor revisions to the Concept Development Plan and the Proffer Statement. The applicant has responded, and no issues remain outstanding.

TRANSPORTATION

The subject property is located in the northwest quadrant of the Beaumeade Corporate Park south of Smith Switch Road (Route 607) and the W&OD Trail. Primary access is via Guilford Drive, which terminates at the site in an on-site cul-de-sac, by means of Beaumeade Circle and Loudoun County Parkway; a secondary access point onto Smith Switch Road is located at the rear of the property. The intersection of Beaumeade Circle South/North and Loudoun County Parkway and the intersection of Guilford Drive and Beaumeade Circle are currently not signalized.

Comments from the Office of Transportation Services are included as Attachment 1c, Pages A-6 and A-13. Currently, the Loudoun County Parkway / Beaumeade Circle South intersection operates at an unacceptable Level of Service (LOS). A traffic study submitted as part of the Beaumeade Merritt Tract – Beaumeade Gun Club Training Facility application (SPEX 2008-0019) notes that if a signal were to be installed at such intersection, the resulting LOS would be C; installation of this signal has not been fully funded at this time.

Conversion of the property to the Revised 1993 Zoning Ordinance will expand the list of permitted uses allowed by-right on the site, resulting in a corresponding increase in the number of weekday vehicle trips. A trip comparison analysis submitted as part of this application estimates weekday vehicle trips to increase from 7,711 to 8,776. Absent of a signal, staff notes that such an increase will cause further deterioration in the LOS of the Beaumeade Circle South / Loudoun County Parkway intersection. However, per the directive of the Board's Transportation and Land Use Committee, no regional transportation improvements are expected with an application for zoning conversion.

D. ZONING ORDINANCE CRITERIA FOR APPROVAL

Section 6-1211(E) of the Revised 1993 Zoning Ordinance states, "...if the application is for reclassification of property to a different zoning district classification on the Zoning Map, the Planning Commission shall give a reasonable consideration to the following matters..."

(1) Whether the proposed zoning district classification is consistent with the Comprehensive Plan.

The PD-IP (Planned Development – Industrial Park) zoning designation is consistent with a Business designation. In addition, the County does allow and encourage property owners to

convert to regulation under the current zoning ordinance. The Revised General Plan specifically supports conversion of properties from the 1993 Zoning Ordinance to the Revised 1993 Zoning Ordinance.

(2) Whether there are any changed or changing conditions in the area affected that make the proposed rezoning appropriate.

There have not been any changed or changing conditions in this area that have an affect on this proposed rezoning. The Beaumeade Corporate Park continues to develop as anticipated with a number of permitted, by-right and special exception uses consistent with the area's Business designation. The additional permitted uses allowed by the Revised 1993 Zoning Ordinance are consistent with the development of this area, and again, conversion to regulation under the Revised 1993 Zoning Ordinance is encouraged.

(3) Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity.

The range of uses proposed in this application are compatible with the uses of adjacent properties, due to the abutting PD-IP zoning.

(4) Whether adequate utility, sewer, and water, transportation, school and other facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned.

The property is fully developed and utilities provided. A conversion to regulation under the Revised 1993 Zoning Ordinance will have no impact on the provision of utilities. Furthermore, the roadway network has been constructed to its ultimate configuration, though staff notes that permitted uses under the Revised 1993 Zoning Ordinance will result in an increase in the daily vehicle trips.

(5) The effect of the proposed rezoning on the county's ground water supply.

The property is currently served by public water and sanitary sewer; no groundwater impacts are anticipated.

(6) The effect of uses allowed by the proposed rezoning on the structural capacity of the soils.

As on-going development in this portion of the County has shown, with proper engineering, the on-site soils have the necessary structural capacity to support the proposed type of development.

(7) The impact that the uses that would be permitted if the property were rezoned will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity and whether the proposed rezoning uses sufficient measures to mitigate the impact of through construction traffic on existing neighborhoods and school areas.

The Revised 1993 Zoning Ordinance offers an expanded number of permitted uses, and the conversion of the property to such Ordinance will result in a corresponding increase in the number of daily vehicular trips. Staff further notes the intersection of Beaumeade Circle South and Loudoun County Parkway currently does not operate at an acceptable Level of Service (LOS). Additional traffic anticipated by uses allowed by the Revised 1993 Zoning Ordinance may cause further deterioration in LOS.

(8) Whether a reasonably viable economic use of the subject property exists under the current zoning.

Yes, a reasonably viable economic use of the subject property does exist under the current regulations; however, the uses permitted in the PD-IP district by the Revised 1993 Zoning Ordinance provide additional options for use of the property.

(9) The effect of the proposed rezoning on environmentally sensitive land or natural features, wildlife habitat, vegetation, water quality and air quality.

Development on the site will incorporate all necessary measures to ensure that water quality standards are maintained at the County's best management practice levels. Landscape buffers will negate any negative impacts on adjoining properties.

(10) Whether the proposed rezoning considers the needs of agriculture, industry, and business in future growth.

The expanded use list, inclusive of office as a permitted use, for the PD-IP district provided by conversion to the Revised 1993 Zoning Ordinance offers enhanced economic development options.

(11) Whether the proposed rezoning considers the needs of agriculture, industry, and business in future growth.

The conversion of the property to the Revised 1993 Zoning Ordinance does offer additional flexibility to businesses to determine the highest and best use of the property, consistent with the policies of the Revised General Plan.

(12) Whether the proposed rezoning considers the current and future requirements of the community as to land for various purposes as determined by population and economic studies.

The Beaumeade Corporate Park has developed as an emerging employment center for Loudoun County. Conversion of the property to the Revised 1993 Zoning Ordinance expands the number permitted uses on the site, offering greater flexibility to potential users, and thus providing opportunities for additional job creation for the region.

(13) Whether the proposed rezoning encourages the conservation of properties and their values and the encouragement of the most appropriate use of land throughout the County.

This rezoning will encourage the conservation of properties and their values by proposing a use for property that is in concert with the County's General Plan and the Revised 1993 Zoning Ordinance.

(14) Whether the proposed rezoning considers trends of growth or changes, employment, and economic factors, the need for housing, probable future economic and population growth of the County and the capacity of existing and/or planned public facilities and infrastructure.

The rezoning will increase the marketability of the site to potential users by offering greater flexibility in the number of permitted uses. This will result in a more marketable project in an area of the County that has and will continue to be catalyst for business and employment growth.

(15) The effect of the proposed rezoning to provide moderate housing by enhancing opportunities for all qualified residents of Loudoun County.

As the proposed rezoning will retain the PD-IP (Planned Development – Industrial Park) designation, this application does not include provisions for residential housing.

(16) The effect of the rezoning on natural, scenic, archaeological, or historic features of significant importance.

The development will adhere to all Federal, State, and County regulations in terms of storm water management, best management practices, and also erosion and sediment control requirements, thus protecting the existing natural environment.

V. ATTACHMENTS	PAGE NUMBER
1. Review Agency Comments	
a. Planning Department, Community Planning	A-1
b. Building and Development, Zoning Administration	A-4
c. Office of Transportation Services	A-6
2. Applicant's Response to Referral Agency Comments	A-15
3. Applicant's Statement of Justification	A-21
4. Disclosure of Real Parties in Interest	A-28
5. Proffer Statement; dated June 23, 2008	A-47
6. Concept Development Plan; dated 12/20/07; revised 6/23/08	Attached

NOTE: Attachments are available electronically and may be viewed at the Planning Department Front Counter or in the Building & Development File Room.